


ANALYSIS

This ordinance amends Sections 2.08.160 and 2.18.025 of Title 2 –
Administration of the Los Angeles County Code as follows:

- This ordinance increases the monetary limit of the delegated authority of the Chief Executive Officer and the Director of Public Works to purchase real property from \$25,000.00 to \$75,000.00.
- This ordinance establishes a termination date for the delegation of authority, as required by State law.

ROBERT E. KALUNIAN
Acting County Counsel

By 
MARK T. YANAI
Principal Deputy County Counsel
Property Division

MTY:vn

02/17/09 (Requested)

07/02/09 (Revised)

ORDINANCE NO. 2009-0046

An ordinance amending Title 2 – Administration of the Los Angeles County Code, to increase the dollar limit of the delegated authority of the Chief Executive Officer and the Director of Public Works to purchase real property and establish a termination date for that delegation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.08.160 is hereby amended to read as follows:

2.08.160 Purchase of real property -- \$2575,000.00 or less.

Pursuant to the authority granted by California Government Code ~~Section~~ 25350.60, the ~~e~~Chief administrative~~Executive~~ ~~e~~Officer is authorized to perform all acts necessary to approve and accept for the ~~e~~County the acquisition of any interest in real property where the purchase price for such interest does not exceed \$2575,000.00, in accordance with the following specified procedures:

A. Establishment of Purchase Price. The purchase price, if any, must be based on a summary of just compensation and may be adjusted only with the written concurrence of ~~e~~County ~~e~~Counsel. The summary of just compensation shall be prepared in accordance with generally recognized real estate appraisal principles. The preparation of the summary of just compensation and the negotiations shall be performed in accordance with Government Code ~~S~~sections 7260 et seq.

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C. Approval of Acquisition by Planning Agency. The ~~e~~Chief administrativeExecutive ~~e~~Officer shall submit the proposed acquisition to the appropriate planning agency in accordance with Government Code Ssection 65402, or any statute which may later become appropriate, prior to the acquisition of the property.

D. Assurance of Funding. Prior to committing the ~~e~~County to acquisition of the property, funding must be identified as assured by the appropriate authority. For acquisitions to be paid from gas tax funds, the ~~e~~Department of pPublic wWorks will be the appropriate authority. For acquisitions made from general fund sources, the ~~e~~Chief administrativeExecutive ~~e~~Officer will be the appropriate authority. For all special district acquisitions, the district's financial officer will be the appropriate authority.

E. Form of Instrument. All instruments conveying ownership of a property interest must be in a form acceptable to ~~e~~County ~~e~~Counsel.

F. Condemnation. Notwithstanding any other provision of this chapter, the ~~e~~Chief administrativeExecutive ~~e~~Officer's authority shall be exercised in conjunction with the ~~e~~County ~~e~~Counsel for any acquisition of an interest in real property where a resolution of condemnation has been previously adopted by the ~~b~~Board of sSupervisors of the ~~e~~County of Los Angeles for the ~~e~~County of Los Angeles, or in its ex officio capacity for any other public entity.

G. Acceptance of Gifts. The ~~e~~Chief administrativeExecutive ~~e~~Officer is authorized to accept gifts consisting solely of real property interests. All requirements for the compliance with the environmental statutes and regulations and planning agency review shall be completed prior to acceptance.

H. Expiration of authority. The authority granted to the Chief Executive Officer pursuant to this Section shall be effective through and including July 31, 2014, after which time it shall be deemed expired and of no further effect.

SECTION 2. Section 2.18.025 is hereby amended to read as follows:

2.18.025 Director -- Purchase of real property -- \$2575,000.00 or less.

Pursuant to the authority granted by California Government Code Section 25350.60, the ~~e~~Director is hereby authorized to perform all acts necessary to approve and accept the acquisition of any interest in real property for use by the ~~e~~County of Los Angeles, ~~including the department of public works, or the Los Angeles County Flood Control District and other special districts under the authority of the~~ director where the purchase price for such interest does not exceed \$2575,000.00 in accordance with the following specified procedures:

A. Establishment of Purchase Price. The purchase price, if any, must be based on a summary of just compensation and may be adjusted only with the written concurrence of ~~e~~County ~~e~~Counsel. The summary of just compensation shall be prepared in accordance with generally recognized real estate appraisal principles. The preparation of the summary of just compensation and negotiations shall be performed in accordance with Government Code Section 7260 et seq.

...

C. Approval of Acquisition by Planning Agency. The dDirector shall submit the proposed acquisition to the appropriate planning agency in accordance with Government Code Section 65402, or any statute which may later become appropriate, prior to the acquisition of the property.

D. Assurance of Funding. Prior to commitment to the acquisition of the property, funding must be identified as assured by the appropriate authority. For acquisitions to be paid from road funds or special district funds, the eChief financial eOfficer of the dDepartment of public works will be the appropriate authority. For acquisitions to be paid from general fund sources, the eChief ~~administrative~~ Executive eOffice will be the appropriate authority.

E. Form of Instrument. All instruments conveying ownership of property interests must be in a form acceptable to eCounty eCounsel.

F. Condemnation. Notwithstanding any other provision of this chapter, the dDirector's authority shall be exercised in conjunction with the eCounty eCounsel for any acquisition of an interest in real property where a resolution of condemnation has been previously adopted by the bBoard of supervisors of the eCounty of Los Angeles for the eCounty of Los Angeles or in its ex officio capacity for any other public entity.

G. Acceptance of Gifts. The dDirector is authorized to accept gifts consisting solely of real property interests and related improvements. All requirements for compliance with the environmental statutes and regulations and planning agency review shall be completed prior to acceptance.

H. Expiration of authority. The authority granted to the Director pursuant to this Section shall be effective through and including July 31, 2014, after which time it shall be deemed expired and of no further effect.

[208160MYCC]

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
LOS ANGELES, ACTING AS THE GOVERNING BOARD OF THE LOS ANGELES
COUNTY FLOOD CONTROL DISTRICT, DELEGATING AUTHORITY TO PURCHASE
REAL PROPERTY NOT EXCEEDING \$75,000 TO THE CHIEF ENGINEER**

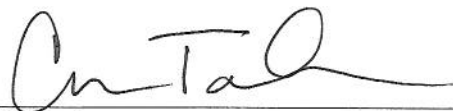
Sections 3 and 16 of the Los Angeles County Flood Control Act authorizes the Board of Supervisors of the Los Angeles County Flood Control District to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties and to make and enforce all needful rules and regulations for the administration and government of said district, and to perform all other acts necessary or proper to accomplish the purposes of the act.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
LOS ANGELES, ACTING AS THE GOVERNING BOARD OF THE LOS ANGELES
COUNTY FLOOD CONTROL DISTRICT, HEREBY RESOLVES AS FOLLOWS:**

The director of public works of the County of Los Angeles, acting as the Chief Engineer of the Los Angeles County Flood Control District, shall be authorized to perform all acts necessary to approve and accept the acquisition of any interest in real property for use by the Los Angeles County Flood Control District where the purchase price for such interest does not exceed \$75,000.00, in accordance with the procedures specified in Section 2.18.025 of Title 2 of the Los Angeles County Code.

The foregoing resolution was on the 20th day of October, 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which Said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By 
Deputy



SECTION 3. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



A handwritten signature in dark ink, appearing to read "Don Knabe".

Chairman

ATTEST:

A handwritten signature in dark ink, appearing to read "Sachi A. Hamai".

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of October 20, 2009 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Michael D. Antonovich
Don Knabe

Noes

Supervisors None

Effective Date: November 19, 2009

Operative Date: _____

A handwritten signature in dark ink, appearing to read "Sachi A. Hamai".

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By A handwritten signature in dark ink, appearing to read "Antal".
Deputy



APPROVED AS TO FORM:
ROBERT KALUNIAN
Acting County Counsel

By A handwritten signature in dark ink, appearing to read "Leela Kapur".
Leela Kapur
Chief Deputy County Counsel